

CARRIERS OF THE SUBSTANTIAL, AVAILABLE, AND AFFORDABLE COVERAGE PURCHASER DIFFERENTIAL AS DETERMINED BY THE COMMISSION FOR THE CALENDAR YEAR 2002.

(2) THE COMMISSION, IN ACCORDANCE WITH THIS SUBSECTION, SHALL DETERMINE AND COLLECT FUNDS NECESSARY TO OPERATE AND ADMINISTER THE MARYLAND HEALTH INSURANCE PLAN ESTABLISHED UNDER TITLE 14, SUBTITLE 5 OF THE INSURANCE ARTICLE.

(3) (I) THE COMMISSION SHALL DETERMINE THE PERCENTAGE OF TOTAL NET PATIENT REVENUE RECEIVED IN CALENDAR YEAR 2002 BY ALL HOSPITALS FOR WHICH THE COMMISSION APPROVED HOSPITAL RATES THAT IS REPRESENTED BY THE BASE HOSPITAL RATE.

(II) THE PERCENTAGE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE DETERMINED BY DIVIDING THE BASE HOSPITAL RATE BY THE TOTAL NET PATIENT REVENUE RECEIVED IN CALENDAR YEAR 2002 BY ALL HOSPITALS FOR WHICH THE COMMISSION APPROVED HOSPITAL RATES.

(4) ON OR BEFORE MAY 1 OF EACH YEAR, THE COMMISSION SHALL:

(I) DETERMINE THE AMOUNT OF FUNDING TO ALLOCATE TO THE MARYLAND HEALTH INSURANCE PLAN BY MULTIPLYING THE PERCENTAGE DETERMINED UNDER PARAGRAPH (3) OF THIS SUBSECTION BY THE VALUE OF THE TOTAL NET PATIENT REVENUES RECEIVED IN THE IMMEDIATELY PRECEDING FISCAL YEAR BY ALL HOSPITALS FOR WHICH RATES WERE APPROVED BY THE COMMISSION; AND

(II) DETERMINE THE SHARE OF TOTAL FUNDING OWED BY EACH HOSPITAL FOR WHICH RATES HAVE BEEN APPROVED BY THE COMMISSION PROPORTIONATE TO THE PERCENTAGE OF THE BASE HOSPITAL RATE ATTRIBUTABLE TO EACH HOSPITAL.

(5) EACH HOSPITAL SHALL REMIT MONTHLY ONE-TWELFTH OF THE AMOUNT DETERMINED UNDER PARAGRAPH (4)(II) OF THIS SUBSECTION TO THE MARYLAND HEALTH INSURANCE PLAN FUND.

(E) (1) THE COMMISSION SHALL ADJUST HOSPITAL RATES TO ~~TAKE INTO ACCOUNT THE ASSESSMENT REQUIRED UNDER SUBSECTION (D) OF THIS SECTION~~ ENSURE THAT THE ASSESSMENT COLLECTED UNDER SUBSECTION (D) OF THIS SECTION IS REVENUE NEUTRAL TO EACH HOSPITAL.

(2) THE COMMISSION MAY NOT CONSIDER THE ASSESSMENT REQUIRED UNDER SUBSECTION (D) OF THIS SECTION IN DETERMINING:

- (I) THE REASONABLENESS OF RATES UNDER THIS SECTION; OR
- (II) HOSPITAL FINANCIAL PERFORMANCE.